

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**CLERK'S OFFICE**

**NOTICE OF FILING AND HEARING**

**DOCKET NO. 2012-393-C**

Docket Summary: Application of Birch Telecom of the South, Inc. d/b/a Birch Communications, and Using the Trade/Brand Name "Now Communications" for Designation as an Eligible Telecommunications Carrier in the State of South Carolina

Birch Telecom of the South, Inc. d/b/a Birch Communications, and using the trade name "NOW Communications" ("Birch or the "Company") has filed an Application with the Public Service Commission of South Carolina ("Commission") for designation as a Eligible Telecommunications Carrier (ETC) pursuant to Section 214(e) of the Federal Communications Act of 1934, as amended, 47 U.S.C. § 214(e), the implementing rules of the Federal Communications Commission, and 26 S.C. Code Ann. Regs. 103-690 (Supp. 2011). Birch seeks ETC designation for Lifeline support only to provide prepaid wireless services under the "NOW Communications" trade name to qualifying South Carolina consumers in non-rural areas. The Company will not seek access to funds from the federal Universal Service Fund ("USF") for the purpose of participating in the Link-Up program or providing service to high cost areas.

A copy of the Company's application can be found on the Commission's website at [www.psc.sc.gov](http://www.psc.sc.gov) under Docket No. 2012-393-C. Additionally, a copy of the application is available from the Company's representative Bonnie D. Shealy, Esquire, Robinson, McFadden & Moore, P.C., Post Office Box 944, Columbia, South Carolina 29202.

PLEASE TAKE NOTICE that a hearing on the above matter has been scheduled to begin on **Thursday, March 28, 2013, at 10:30 a.m.**, before the Commission in the Commission's Hearing Room at 101 Executive Center Drive, Saluda Building, Columbia, South Carolina 29210.

Any person who wishes to participate in this matter as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before **Friday, December 28, 2012**, and indicate the amount of time required to address the Commission. For the receipt of future Commission correspondence, please include an email address in the Petition to Intervene. *Please refer to Docket No. 2012-393-C.*

Any person who wishes to testify and present evidence at the hearing should notify, in writing, the Commission; the Office of Regulatory Staff at 1401 Main Street, Suite 900, Columbia, South Carolina 29201; and the Company's representative at the above address, on or before **Friday, December 28, 2012**, and indicate the amount of time required to address the Commission. *Please refer to Docket No. 2012-393-C.*

Any person who wishes to be notified of any change in the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Commission, in writing, at the address below on or before **Friday, December 28, 2012**. *Please refer to Docket No. 2012-393-C.*

**PLEASE TAKE NOTICE** that any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments in person to the Commission during the hearing.

Persons seeking information about the Commission's procedures should contact the Commission at (803) 896-5100 or visit its website at [www.psc.sc.gov](http://www.psc.sc.gov).

11/27/12

Direct correspondence to: Public Service Commission of South Carolina  
Attention: Clerk's Office  
Post Office Drawer 11649  
Columbia, SC 29211